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(Rev 5/10)

Filed by the
Clerk

UNITED STATES DISTRICT COURT
for
District of Minnesota

U.S.A. vs. Matthew Mintz

Docket No. 0864 0:17CR00107-017(DWF)

Petition for Action on Conditions of Pretrial Release

COMES NOW Kiah A. Smith, U.S. PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct of **Matthew Mintz** who was placed under pretrial supervision by the Honorable Donovan W. Frank, sitting in the Court at St. Paul on the 16th day of August, 2017, under the following special conditions:

- Pretrial Services Supervision
- Obtain and Maintain Employment
- Surrender Passport-Surrendered by Agents on August 24, 2017
- Obtain No New Passport
- Travel Restrictions-Travel restricted to Northern District of Illinois and District of Minnesota for Court-related purposes unless preapproved-modified on April 23, 2018
- No Contact with Victim/Witness-Condition added on August 31, 2017
- Mental Health Treatment
- Weapons Restriction
- No Illegal Use of Controlled Substances
- Substance Abuse Testing
- No Tampering with Substance Abuse Testing
- Report Contact with Law Enforcement
- Surrender FOID Card

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The below actions violate the defendant's conditions of release pursuant to 18 U.S.C. § 3142.

On Saturday, May 26, 2018, the undersigned officer received a phone call from an Illinois State Trooper advising the defendant had been arrested for driving under the influence of alcohol. According to the arresting Trooper, the defendant was driving at high rates of speed and swerving in and out of lanes. He was pulled over and failed several field sobriety tests. The defendant also refused to submit to a preliminary breath test. He was bonded out and escorted home by the Trooper. Charges in this case are forthcoming in Cook County Circuit Court.

The defendant immediately contacted his supervising officer in the Northern District of Illinois, USPO Christa Green, to advise of his arrest. However, he failed to follow up with his probation officer following his release from custody for several days.

The undersigned officer contacted the Government and defense counsel advising of the defendant's arrest. Both parties agreed to amending the defendant's conditions to include alcohol abstinence.

On Thursday, May 31, 2018, the defendant contacted USPO Green and admitted to drinking alcohol before driving. The defendant was advised by his attorney of the changes to his conditions of release. He expressed concerns about not being able to drink while on supervision. The defendant advised USPO Green he had been researching ways to get around alcohol testing while on supervision. He also advised USPO Green that he has continued drinking alcohol since his release.

PRAYING THAT THE COURT WILL ORDER:

That the defendant

Participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

Refrain from any use of alcohol.

ORDER OF THE COURT

Considered and ordered this 1st day
of June, 2018, and ordered
filed and made a part of the records in the
above case.

s/Donovan W. Frank

Donovan W. Frank
U.S. District Judge

I declare under penalty of perjury that
the foregoing is true and correct.

s/ *Kiah A. Smith*

Kiah A. Smith
U.S. Probation Officer
612-664-5378

Executed on June 1, 2018

Place Minneapolis

Approved:

s/ *John P. Rayman*

John P. Rayman
Supervising U.S. Probation Officer